

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

4

No. E 32 of 1982

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

EXHIBIT "B"

TO THE AFFIDAVIT OF

ANGUS MACKEE,  
ALEXANDER FRASER, and  
CRISTINO GIORGIO DALL'OSTO

(Filed on behalf of the Executors)

SUPREME COURT  
OF QUEENSLAND

- 2. FEB. 1982

FILED  
TOWNSVILLE

\$1  
53092  
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CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

IN THE SUPREME COURT OF QUEENSLAND

DEATH - in the State of Queensland  
 Registered by Keith William Redman  
 Registrar-General

Column 1 Number	82/50228	05
2 Name and surname	John Barker	
3 Sex and age	Cane Farmer Male 87 Years	
4 Date and place of death	24 December 1981 Ingham Hospital, Ingham	
5 Cause of death	Bulbar cerebrovascular accident	
Duration of last illness	2 months	
Medical attendant by whom certified	D.R. Pashen	
When he last saw deceased	23 December 1981	
6 Name and surname of father	Joseph Barker	
Occupation	Grazier	
Name and maiden surname of mother	Ann Spencer	
7 Signature, description and residence of informant	A. Mackee, No Relation, Coldwater, Abergowrie	
REGISTRAR		
8 Signature, date and place of registration	<i>Redman</i>	13 January 1982 Brisbane
9 When and where buried or cremated	29 December 1981 New Ingham Cemetery	
By whom certified	M. Delise	
10 Name and religion of minister, and/or names of two witnesses of burial or cremation	M.F. Brooks, Uniting Church	
11 Where born and if not born in Australia period of residence in Australia	Townsville Queensland	
If Deceased was married —	Never Married	
12 Where, at what age and to whom		
13 Issue living, in order of birth, their names and ages		
Deceased, number and sex	male	female



I, KEITH WILLIAM REDMAN, Registrar-General,  
 hereby certify that this is a true  
 photographic copy of an entry in a register  
 kept in the General Registry Office, Brisbane.

Dated 19 JAN 1982

*Redman*  
 Registrar-General

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 of 1982.

IN THE WILL of JOHN BARKER late of  
Long Pocket near Ingham in the  
State of Queensland, Farmer,  
deceased.

This is the Certificate of Death marked with the letter "B"  
mentioned and referred to in the Affidavit of ANGUS MACKEE,  
ALEXANDER FRASER and CRISTINO GIORGIO DALL'OSTO sworn herein-  
before me this Fourteenth day of January, 1982.

*Freda Yates J.*

A Justice of the Peace

66/8/88

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IN THE SUPREME COURT )  
OF QUEENSLAND )  
TOWNSVILLE )

No. E 32 of 1982

IN THE WILL of JOHN BARKER late of  
Long Pocket, near Ingham in the State  
of Queensland, Farmer, deceased.

P R O B A T E

SUPREME COURT  
OF QUEENSLAND  
12. FEB. 1982  
FILED  
TOWNSVILLE

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CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. Q. 4850

Telephone: 76 1822

Reference: SLT

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

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No. E 32 of 1982.

BE IT KNOWN that on the fourth day of February 1982 the last will of JOHN BARKER late of Long Pocket, near Ingham in the State of Queensland, Farmer, deceased, who died at Ingham Hospital, Ingham aforesaid, on the Twenty-fourth day of December, 1981, a copy whereof is hereto annexed was proved and registered in the Supreme Court of Queensland at Townsville and that administration of all and singular the personal estate of the said deceased was granted by the said Court to ANGUS MACKEE of Abergowrie, near Ingham aforesaid, Farm Manager, ALEXANDER FRASER of Hawkins Creek, Ingham aforesaid, Investor, and CRISTINO GIORGIO DALL'OSTO of Cowley Street, Ingham aforesaid, Chartered Accountant, the executors named in the said will.

GIVEN under the Seal of the  
Court at Townsville this  
*twelfth* day of *February*  
1982.

THE SEAL OF THE SUPREME  
COURT OF QUEENSLAND



*R. J. Meane*  
Registrar.

Taken out by:

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. Q. 4850



THIS IS THE LAST WILL AND TESTAMENT of me JOHN BARKER of Long Pocket near Ingham in the State of Queensland, Farmer.

I HEREBY REVOKE all former Wills and Codicils made by me.

I APPOINT ANGUS MACKEE of Abergowrie near Ingham, Farm Manager, ALEXANDER FRASER of Hawkins Street, Ingham, Investor and CRISTINO GIORGIO DALL'OSTO of Cowley Street, Ingham, Chartered Accountant (hereinafter referred to as "my trustees") executors and trustees of this Will.

In consideration of the said ANGUS MACKEE accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or other remuneration TWO THOUSAND SHARES in WESTERN MINING CORPORATION.

In consideration of the said ALEXANDER FRASER accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or other remuneration TWO THOUSAND SHARES in WESTERN MINING CORPORATION.

I DIRECT that the said CRISTINO GIORGIO DALL'OSTO being a public accountant shall be entitled to make against my estate reasonable charges for all professional services as such accountant as he may render or perform to or for my estate or to or for my trustees as executors or trustees of this Will and IN CONSIDERATION of his accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or remuneration other than as aforesaid FIVE THOUSAND SHARES in M.I.M. HOLDINGS LIMITED.

I BEQUEATH to my sister ANNIE MARGARET AGNES BARKER free of all death duties whatsoever so many of the shares held by

L.S.

me in M.I.M. HOLDINGS LIMITED as shall at the date of my death have a market value of FIFTEEN THOUSAND DOLLARS (\$15,000) and so many of the shares held by me in WESTERN MINING CORPORATION as shall at the date of my death have a market value of FIFTEEN THOUSAND DOLLARS (\$15,000).

I GIVE DEVISE and BEQUEATH to my said sister free of all death duties whatsoever all that piece of land situated in the County of Cardwell Parish of Lannercost being Resubdivision 1 of Subdivision 1 of Portion 387 and Road License No. 568 together with all improvements and growing crops thereon and the contents of the dwelling house on the said land and together with all tractors vehicles plant machinery and implements owned by me other than those bequeathed to GEORGE DANIEL MOONEY as hereinafter mentioned.

I GIVE DEVISE and BEQUEATH to GEORGE DANIEL MOONEY of Long Pocket aforesaid free of all death duties whatsoever all those pieces of land situated in the said county and parish being portion 16 and Resubdivision 2 of Subdivision 2 of Portion 15 together with all improvements and growing crops thereon and together with all my livestock depasturing on or about the said lands.

I GIVE and DEVISE free of all death duties to the said GEORGE DANIEL MOONEY all that piece of land situated in the County of Cardwell Parish of Leach being Portion 36 together with all improvements thereon.

I BEQUEATH to the said GEORGE DANIEL MOONEY free of all death duties my Toyota Tip Truck, three of my farm tractors and four of my Cultivation implements the said tractors and implements to be chosen by him from my tractors and farming plant not later than THREE (3) MONTHS after the date of my death.

L.S.

I BEQUEATH free of all death duties the sum of FIFTEEN THOUSAND DOLLARS (\$15000) to each of my cousins GLEM JAMES HILL, STANLEY HILL, and CORAL BARKER, spinster all of Melbourne in the State of Victoria and the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to my cousin STUART DERRINGTON of 33 Tothesay Street, Kenmore, Brisbane in the State of Queensland.

I BEQUEATH free of all death duties to LILLIAN MAY MacKEE of Coldwater near Ingham aforesaid wife of Angus MacKee the sum of TEN THOUSAND DOLLARS (\$10,000).

I GIVE DEVISE and BEQUEATH the residue of my real and personal estate wheresoever situated including any of my property a devise bequest or gift of which shall have lapsed or failed to take effect unto my trustees upon TRUST to sell call in and convert into cash the same or so much thereof as shall not already consist of money and out of my ready money and the proceeds of the said sale calling in and conversion to pay all my just debts funeral and testamentary expenses and all death duties payable in respect of my estate and to stand possessed of the remainder (including such of my property as shall not for the time being have been converted into cash) hereinafter referred to as "my residuary estate"

UPON TRUST:

- (a) As to one half share or interest therein for THE CORPORATION OF CANOSSIAN DAUGHTERS OF CHARITY in Queensland for the general purposes of the institution known as "CANOSSA HOME FOR THE AGED" situated at Trebonne, Ingham aforesaid and
- (b) As to the remaining one half share or interest therein for THE UNITING CHURCH IN AUSTRALIA Property Trust (Q.) for the general purpose of the institution known as "THE GOOD SAMARITAN"





NURSING HOME" situated at Cairns in the State  
of Queensland within the Queensland Synod of  
THE UNITING CHURCH IN AUSTRALIA.

I DIRECT and DECLARE that in respect of any payment  
which may be made by my trustees pursuant to this Will to  
either of the bodies referred to in the next preceding  
paragraph hereof, the receipt of the Secretary, Treasurer or  
other officer of each of such bodies who shall appear to be  
authorised to receive such payment shall be full and sufficient  
discharge to my trustees for the sum paid and my trustees shall  
not be bound to see to or inquire as to the application of any  
such sum.

I DIRECT and DECLARE that my trustees shall have power  
in their discretion to postpone the sale calling in or  
conversion of any part or parts of any real <sup>and</sup> ~~or~~ personal estate  
hereinbefore directed to be sold called in or converted to cash  
for such period as they may think expedient and until such sale  
calling in or conversion shall have taken place to lease let or  
let on hire any part of such real or personal estate for such  
period for such price and upon such terms and conditions as  
they may think proper.

IN WITNESS WHEREOF I have hereunto set my hand this eighth  
day of October One thousand nine hundred and eighty.

John Barker

SIGNED by the said testator as and for his last Will and  
Testament in the presence of us both being present at the same  
time who at his request in his presence and in the presence of  
each other have hereunto subscribed our names as witnesses.

P. A. Skene  
Accountant  
11 Blackbean St.  
Allingham

M. Gareth  
Accountant  
11 Forgan St.,  
Ingham

L.S.

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

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No. E 32 of 1982.

BE IT KNOWN that on the *Fourth* day of *February* 1982 the last will of JOHN BARKER late of Long Pocket, near Ingham in the State of Queensland, Farmer, deceased, who died <sup>*Langdon Hospital*</sup> at Ingham aforesaid, on the Twenty-fourth day of December, 1981, a copy whereof is hereto annexed was proved and registered in the Supreme Court of Queensland at Townsville and that administration of all and singular the personal estate of the said deceased was granted by the said Court to ANGUS MACKEE of Abergowrie, near Ingham aforesaid, Farm Manager, ALEXANDER FRASER of Hawkins Creek, Ingham aforesaid, Investor, and CRISTINO GIORGIO DALL'OSTO of Cowley Street, Ingham aforesaid, Chartered Accountant, the executors named in the said will.

GIVEN under the Seal of the  
Court at Townsville this  
day of  
1982.

Registrar.

Taken out by:  
CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. Q. 4850

*gr*

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

2



No. E32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

AFFIDAVIT

OF

ANGUS MACKEE,  
ALEXANDER FRASER, and  
CRISTINO GIORGIO DALL'OSTO

(Filed on behalf of the Executors)

\$4  
53092

SUPREME COURT  
OF QUEENSLAND

- 2. FEB. 1982

FILED  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

IN THE WILL of JOHN BARKER late of  
Long Pocket near Ingham in the State  
of Queensland, Farmer, deceased.

We, ANGUS MACKEE of Abergowrie near Ingham in the State  
of Queensland, Farm Manager, ALEXANDER FRASER of Hawkins  
Street, Ingham aforesaid, Investor, and CRISTINO GIORGIO  
DALL'OSTO of Cowley street, Ingham aforesaid, Chartered  
Accountant, make oath and say as follows:-

1. We believe that the paper writing now produced and shown to us and marked with the letter "A" is and contains the true and original last Will of the abovenamed deceased.
2. We are the Executors named in the Will of the abovenamed deceased and I the said CRISTINO GIORGIO DALL'OSTO say for myself that I am one and the same person referred to as Public Accountant in the 6th clause of the Will of the abovenamed deceased and incorrectly referred to therein as CRISTINO GEORGIO DALL'OSTO. The incorrect spelling appears as a result of a typographical error only.
3. The Testator died at Ingham aforesaid on the Twenty-fourth day of December, 1981 as appears by the Certificate of Death now produced and shown to us and marked with the letter "B" leaving real and personal estate in Queensland.

SWORN by the abovenamed ANGUS )  
MACKEE at Ingham in the State )  
of Queensland this 14<sup>th</sup> day )  
of January, 1982, before me: )

*A. Mackee*

*Fred Yates J.*  
A Justice of the Peace

SWORN by the abovenamed )  
ALEXANDER FRASER at Ingham in )  
the State of Queensland this )  
14<sup>th</sup> day of January, 1982, )  
before me: )

*Alexander Fraser*

*Fred Yates J.*  
A Justice of the Peace

SWORN by the abovenamed )  
CRISTINO GIORGIO DALL'OSTO at )  
Ingham in the State of )  
Queensland this 14<sup>th</sup> day of )  
January, 1982, before me: )

*Cristino Dall'osto*

*Fred Yates J.*  
A Justice of the Peace

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

5

NO. E. 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

AFFIDAVIT  
OF  
PUBLICATION AND SERVICE  
BY  
JANICE THERESE MAYES

(Filed on behalf of the Executors)

#4  
53092

SUPREME COURT  
OF QUEENSLAND

- 2. FEB. 1982

FILED  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

I, JANICE THERESE MAYES of 7 Chubb Street, Belgian  
Gardens, Townsville in the State of Queensland, Articles Law  
Clerk to Russell Wesley Innes Sherrington, a member of the  
firm of Connolly Suthers & Walker of 84 - 92 Denham Street,  
Townsville aforesaid, solicitors, make oath and say as  
follows:-

1. The Notice, a true copy whereof is now produced and  
shown to me and marked with the letter "A" was published and  
duly appeared in the Queensland Government Gazette published  
at Brisbane in the said State on 16th January, 1982 and  
also in the Queensland Law Reporter, a newspaper published  
at Brisbane aforesaid, on 16th January, 1982 and also in  
the Herbert River Express, a newspaper published at Ingham  
in the said State on 9th January, 1982 which is a newspaper  
circulating in the neighbourhood of the place where the  
deceased, JOHN BARKER, resided.
2. I did on the 11th day of January, 1982, serve a copy of  
the Notice now produced and shown to me and marked with the  
letter "A" upon The Public Trustee of Queensland by delivering  
the same to and leaving the same with a Clerk in his office.

SWORN by the abovenamed Deponent)

at Townsville in the State of )  
Queensland this 2nd day of )  
February )  
January, 1982, before me: )

*J. Mayes*

A Justice of the Peace

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

6



No. E 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

EXHIBIT "A"

TO THE AFFIDAVIT OF

JANICE THERESE MAYES

(Filed on behalf of the Executors)

53092

SUPREME COURT  
OF QUEENSLAND

- 2. FEB. 1982

FILED  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

JOHN BARKER late of Long Pocket, near Ingham in the State of Queensland, Farmer, deceased.

After fourteen (14) clear days from today, ANGUS MACKEE of Abergowrie, Near Ingham aforesaid, Farm Manager, ALEXANDER FRASER of Hawkins Street, Ingham aforesaid, Investor, and CRISTINO GIORGIO DALL'OSTO of Cowley Street, Ingham aforesaid, Chartered Accountant, the Executors appointed by the deceased's Will dated the Eighth day of October, 1980, will apply to the Supreme Court, Townsville, for Probate of this Will. Any person interested who desires to object to the Application or to be heard upon it, may file a caveat in the Registry at any time before the grant is made, and all notices may be served at the undermentioned address. All creditors in the estate of the deceased are hereby required to send in particulars of their claim to the undersigned within six (6) weeks from the date hereof at the expiration of which time the said Executors will proceed to distribute the assets of the Testator among the persons entitled thereto having regard only to the claims of which the said Executors shall then have had notice.

CONNOLLY SUTHERS & WALKER,  
Solicitors for the Executors,  
59 Lannercost Street,  
INGHAM. 4850

and also at:

84 - 92 Denham Street,  
TOWNSVILLE. 4810



IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 of 1982.

IN THE WILL of JOHN BARKER  
late of Long Pocket near  
Ingham in the State of  
Queensland, Farmer,  
deceased.

This is the Notice marked with the letter "A" mentioned and  
referred to in the Affidavit of JANICE THERESE MAYES sworn  
hereinbefore me this 2nd day of January, 1982.

February

A Justice of the Peace

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

3

No. E 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

EXHIBIT "A"

TO THE AFFIDAVIT OF

ANGUS MACKEE,  
ALEXANDER FRASER, and  
CRISTINO GIORGIO DALL'OSTO

(Filed on behalf of the Executors)

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SUPREME COURT  
OF QUEENSLAND  
- 2. FEB. 1982  
FILED  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

IN THE WILL of JOHN BARKER late

No. E 32 of 1982.

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

"A"

THIS IS THE LAST WILL AND TESTAMENT of me JOHN BARKER of Long Pocket near Ingham in the State of Queensland, Farmer.

I HEREBY REVOKE all former Wills and Codicils made by me.

I APPOINT ANGUS MACKEE of Abergowrie near Ingham, Farm Manager, ALEXANDER FRASER of Hawkins Street, Ingham, Investor and CRISTINO GIORGIO DALL'OSTO of Cowley Street, Ingham, Chartered Accountant (hereinafter referred to as "my trustees") executors and trustees of this Will.

In consideration of the said ANGUS MACKEE accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or other remuneration TWO THOUSAND SHARES in WESTERN MINING CORPORATION.

In consideration of the said ALEXANDER FRASER accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or other remuneration TWO THOUSAND SHARES in WESTERN MINING CORPORATION.

I DIRECT that the said CRISTINO GIORGIO DALL'OSTO being a public accountant shall be entitled to make against my estate reasonable charges for all professional services as such accountant as he may render or perform to or for my estate or to or for my trustees as executors or trustees of this Will and IN CONSIDERATION of his accepting and duly performing and carrying out his duties obligations and powers as such executor and trustee as aforesaid I BEQUEATH to him in lieu of commission or remuneration other than as aforesaid FIVE THOUSAND SHARES in M.I.M. HOLDINGS LIMITED.

I BEQUEATH to my sister ANNIE MARGARET AGNES BARKER free of all death duties whatsoever so many of the shares held by me in M.I.M. HOLDINGS LIMITED as shall at the date of my death have a market value of FIFTEEN THOUSAND DOLLARS (\$15,000) and so many of the shares held by me in WESTERN MINING CORPORATION as shall at the date of my death have a market value of FIFTEEN THOUSAND DOLLARS (\$15,000).

I GIVE DEVISE and BEQUEATH to my said sister free of all death duties whatsoever all that piece of land situated in the County of Cardwell Parish of Lannercost being Resubdivision 1 of Subdivision 1 of Portion 387 and Road License No. 568 together with all improvements and growing crops thereon and the contents of the dwelling house on the said land and together with all tractors vehicles plant machinery and implements owned by me other than those bequeathed to GEORGE DANIEL MOONEY as hereinafter mentioned.

I GIVE DEVISE and BEQUEATH to GEORGE DANIEL MOONEY of Long Pocket aforesaid free of all death duties whatsoever all those pieces of land situated in the said county and parish being portion 16 and Resubdivision 2 of Subdivision 2 of Portion 15 together with all improvements and growing crops thereon and together with all my livestock depasturing on or about the said lands.

I GIVE and DEVISE free of all death duties to the said GEORGE DANIEL MOONEY all that piece of land situated in the County of Cardwell Parish of Leach being Portion 36 together with all improvements thereon.

I BEQUEATH to the said GEORGE DANIEL MOONEY free of all death duties my Toyota Tip Truck, three of my farm tractors and four of my Cultivation implements the said tractors and implements to be chosen by him from my tractors and farming plant not later than THREE (3) MONTHS after the date of my death.

I BEQUEATH free of all death duties the sum of FIFTEEN THOUSAND DOLLARS (\$15000) to each of my cousins GLEM JAMES HILL, STANLEY HILL, and CORAL BARKER, spinster all of Melbourne in the State of Victoria and the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to my cousin STUART DERRINGTON of 33 Tothesay Street, Kenmore, Brisbane in the State of Queensland.

I BEQUEATH free of all death duties to LILLIAN MAY MacKEE of Coldwater near Ingham aforesaid wife of Angus MacKee the sum of TEN THOUSAND DOLLARS (\$10,000).

I GIVE DEVISE and BEQUEATH the residue of my real and personal estate wheresoever situated including any of my property a devise bequest or gift of which shall have lapsed or failed to take effect unto my trustees upon TRUST to sell call in and convert into cash the same or so much thereof as shall not already consist of money and out of my ready money and the proceeds of the said sale calling in and conversion to pay all my just debts funeral and testamentary expenses and all death duties payable in respect of my estate and to stand possessed of the remainder (including such of my property as shall not for the time being have been converted into cash) hereinafter referred to as "my residuary estate" UPON TRUST:

- (a) As to one half share or interest therein for THE CORPORATION OF CANOSSIAN DAUGHTERS OF CHARITY in Queensland for the general purposes of the institution known as "CANOSSA HOME FOR THE AGED" situated at Trebonne, Ingham aforesaid and
- (b) As to the remaining one half share or interest therein for THE UNITING CHURCH IN AUSTRALIA Property Trust (Q.) for the general purpose of the institution known as "THE GOOD SAMARITAN NURSING HOME" situated at Cairns in the State of Queensland within the Queensland Synod of THE UNITING CHURCH IN AUSTRALIA.

I DIRECT and DECLARE that in respect of any payment which may be made by my trustees pursuant to this Will to either of the bodies referred to in the next preceding paragraph hereof, the receipt of the Secretary, Treasurer or other officer of each of such bodies who shall appear to be authorised to receive such payment shall be full and sufficient discharge to my trustees for the sum

I BEQUEATH to the said GEORGE DANIEL MOONEY free of all death duties my Toyota Tip Truck, three of my farm tractors and four of my Cultivation implements the said tractors and implements to be chosen by him from my tractors and farming plant not later than THREE (3) MONTHS after the date of my death.

I BEQUEATH free of all death duties the sum of FIFTEEN THOUSAND DOLLARS (\$15000) to each of my cousins GLEM JAMES HILL, STANLEY HILL, and CORAL BARKER, spinster all of Melbourne in the State of Victoria and the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to my cousin STUART DERRINGTON of 33 Tothesay Street, Kenmore, Brisbane in the State of Queensland.

I BEQUEATH free of all death duties to LILLIAN MAY MacKEE of Coldwater near Ingham aforesaid wife of Angus MacKee the sum of TEN THOUSAND DOLLARS (\$10,000).

I GIVE DEVISE and BEQUEATH the residue of my real and personal estate wheresoever situated including any of my property a devise bequest or gift of which shall have lapsed or failed to take effect unto my trustees upon TRUST to sell call in and convert into cash the same or so much thereof as shall not already consist of money and out of my ready money and the proceeds of the said sale calling in and conversion to pay all my just debts funeral and testamentary expenses and all death duties payable in respect of my estate and to stand possessed of the remainder (including such of my property as shall not for the time being have been converted into cash) hereinafter referred to as "my residuary estate" UPON TRUST:

- (a) As to one half share or interest therein for THE CORPORATION OF CANOSSIAN DAUGHTERS OF CHARITY in Queensland for the general purposes of the institution known as "CANOSSA HOME FOR THE AGED" situated at Trebonne, Ingham aforesaid and
- (b) As to the remaining one half share or interest therein for THE UNITING CHURCH IN AUSTRALIA Property Trust (Q.) for the general purpose of the institution known as "THE GOOD SAMARITAN NURSING HOME" situated at Cairns in the State of Queensland within the Queensland Synod of THE UNITING CHURCH IN AUSTRALIA.

I DIRECT and DECLARE that in respect of any payment which may be made by my trustees pursuant to this Will to either of the bodies referred to in the next preceding paragraph hereof, the receipt of the Secretary, Treasurer or other officer of each of such bodies who shall appear to be authorised to receive such payment shall be full and sufficient discharge to my trustees for the sum

paid and my trustees shall not be bound to see to or inquire as to the application of any such sum.

I DIRECT and DECLARE that my trustees shall have power in their discretion to postpone the sale calling in or conversion of any part or parts of any real and personal estate hereinbefore directed to be sold called in or converted to cash for such period as they may think expedient and until such sale calling in or conversion shall have taken place to lease let or let on hire any part of such real or personal estate for such period for such price and upon such terms and conditions as they may think proper.

IN WITNESS WHEREOF I have hereunto set my hand this

*eightth*  
and eighty.

day of *October*

One thousand nine hundred

*John Barker*

SIGNED by the said testator as and for his last Will and Testament in the presence of us both being present at the same time who at his request in his presence and in the presence of each other have hereunto subscribed our names as witnesses.

*P.A. Skene*

ACCOUNTANT

11 BLACKBEAN ST.

ALLINGHAM

*M. Gault*

ACCOUNTANT

11 FORGAN ST.,

INGHAM

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

This is the original Will marked with the letter "A"  
mentioned and referred to in the Affidavit of ANGUS  
MACKEE, ALEXANDER FRASER and CRISTINO GIORGIO DALL'OSTO  
sworn hereinbefore me this Fourteenth day of January, 1982.

*Freda Yates*

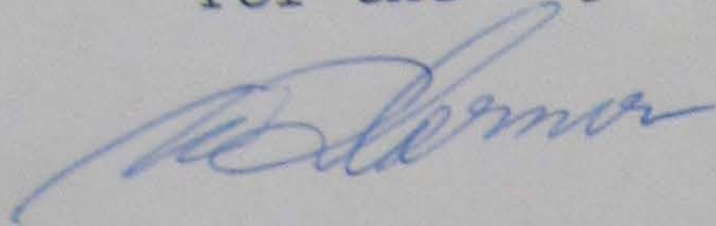
A Justice of the peace

JOHN BARKER  
OF  
THE WILL

Dated this *eight* day of *October* 1980.

LET this application be heard  
before the Registrar on  
the 4th day of February  
1982, at 11 o'clock in  
the 4 noon.

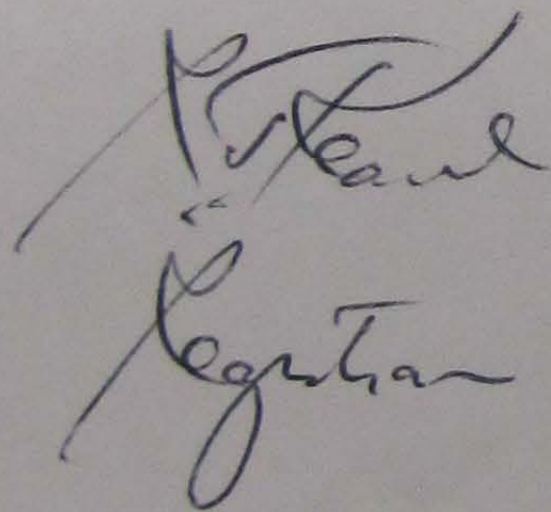
For the Registrar,



Clerk.

LET Grant of Probate issue as  
requested.

DATED the 4th day of February  
1982.



Settled  
4/2/82

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
deceased.

REQUEST FOR PROBATE

BY

ANGUS MACKEE,  
ALEXANDER FRASER, and  
CRISTINO GIORGIO DALL'OSTO

(Filed on behalf of the Executors)

13-50  
53092

SUPREME COURT  
OF QUEENSLAND

2 FEB 1982

FILED  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY



IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland,  
Farmer, deceased.

To:  
The Registrar of the Supreme Court  
of Queensland at Townsville.

We, ANGUS MACKEE of Abergowrie near Ingham in the  
State of Queensland, Farm Manager, ALEXANDER FRASER of  
Hawkins Street, Ingham aforesaid, Investor, and CRISTINO  
GIORGIO DALL'OSTO of Cowley Street, Ingham aforesaid,  
Chartered Accountant, HEREBY REQUEST that Probate of the  
Will of the abovenamed deceased dated the Eighth day of  
October, 1980 be granted to us as the Executors thereof.

DATED the 14<sup>th</sup> day of January, 1982.

A. Mackee  
.....  
Applicant, A. Mackee

Alexander Fraser  
.....  
Applicant, A. Fraser

C.G. Dall'Osto  
.....  
Applicant, C.G. Dall'Osto

IN THE SUPREME COURT  
OF QUEENSLAND  
TOWNSVILLE

No. E 32 - of 1982.

IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in  
the State of Queensland, Farmer,  
Deceased.

AFFIDAVIT OF SEARCH

BY

BERNARD GERARD HARDY

(Filed on behalf of the Executors)

SUPREME COURT  
OF QUEENSLAND  
- 4. FEB. 1982  
FILED  
TOWNSVILLE

4  
8  
8  
53112

CONNOLLY SUTHERS & WALKER  
SOLICITORS  
84-92 DENHAM STREET  
TOWNSVILLE

CONNOLLY SUTHERS & WALKER,  
Solicitors,  
59 Lannercost Street,  
INGHAM. 4850

Telephone: 76 1822  
Reference: SLT:AY

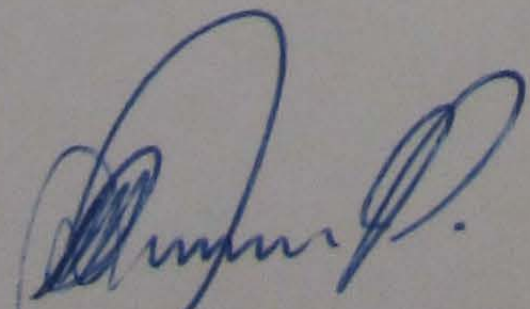
IN THE WILL of JOHN BARKER late  
of Long Pocket near Ingham in the  
State of Queensland, Farmer,  
deceased.

I, BERNARD GERARD HARDY of 30 Philp Street, Hermit  
Park, Townsville in the State of Queensland, Law Clerk,  
in the emply of Connolly Suthers & Walker of 84-92 Denham  
Street, Townsville aforesaid, Solicitors, make oath and  
say as follows:-

1. I have this day searched in the proper office of this  
Honourable Court at Townsville, and find that no caveat has  
been entered in the estate of the abovenamed JOHN BARKER,  
deceased, that no Order to Administer the said estate has  
been granted to The Public Trustee of Queensland, and further,  
that no Election has been filed by the said Public Trustee  
or any trustee company in this estate.

SWORN by the abovenamed )  
Deponent at Townsville in )  
the State of Queensland )  
this 4th day of )  
February 1982, before )  
me: )

*B. Hardy*



A Justice of the Peace

No. E 32 of 1982

**ECCLESIASTICAL,**

In the Will of BARKER, John deceased.

No.	Documents Filed
1	Request
2	App Executors - A Macken A Fraser & Co eg 'Ball' etc
3	Will
4	Certificate of Death
5	App Publications & Service - J J Mayo
6	Notice
7	App search - B. G. Hardy
8	Probate